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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,223	07/14/2005	Olli Tiitu	101908.56491US	3093

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EXAMINER

GRAVINI, STEPHEN MICHAEL

ART UNIT	PAPER NUMBER
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3743

MAIL DATE	DELIVERY MODE
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11/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/542,223	Applicant(s) TIITU, OLLI	
	Examiner Stephen M. Gravini	Art Unit 3743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 9-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 9-14 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of group I claims 1-8 in the reply filed on September 22, 2009 is acknowledged. The traversal is on the ground(s) that there is not sufficient evidence for distinction and sufficient evidence of a burdensome search. This is not found persuasive because the restriction early made shows that each invention is independent and distinct for the reasons set forth in a prior action. Furthermore, since the examiner must search among thousands of references for each feature of the different groups of inventions, it represents a serious burden.

The requirement is still deemed proper and is therefore made FINAL.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Day (US 2,932,091). The claims are reasonably and broadly construed, in light of the accompanying specification, to be disclosed in Day as comprising:

a cylindrical rotatable drum **10** provided with a steam pipe system **13, 14** comprising a heat transfer element **17**, to be rotated within and with the drum (column 1 lines 15-20), the heat transfer element being detachable from and mountable on the drum (column 4 line 10), whereby material to be dried is fed to a first end of the drying apparatus (inherent to the teaching of Day because at column 1 line 72 through column 2 line 20, it is know that the heat transfer

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elements are detachable and mountable), the material being arranged to be discharged through a second end of the drying apparatus, wherein the heat transfer element comprises a support structure **13**, a uniform packet of several longitudinal pipes **22**, **23'** fixedly connected to said support structure, the longitudinal pipes being arranged in an axial direction of the cylindrical rotatable drum and connecting pipes between them such that the heat transfer element is self-supported by the support structure (figure 1) and the support structure and is attached to the drum with fastening that allows heat expansion. Day also discloses the claimed feature wherein the heat transfer element is formed as a sector-shaped packet **23** in such a way that the heat transfer element several longitudinal pipes at the edges of the element and of connecting pipes connecting them together as shown in figure 2, wherein the support structure has a two-part structure in connection with the heat transfer element in such a way that the longitudinal pipes remain between the halves of the support structure (figure 5), wherein an abrasion resistant plate is arranged between the support structure and the drum (figure 3), wherein there is a steam pressure vessel at the end of the drum of the steam drier and at least one steam manifold **17** at the end of the heat transfer element, and the steam manifold is connected to the steam pressure vessel with a connecting pipe wherein the diameter of the steam pressure vessel extends to the area of the heat transfer elements as shown in figure 1.

Claim Rejections - 35 USC § 103

Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Day in view of Asman (US 4,417,661). Day discloses the claimed invention as rejected above, except for the claimed abrasion resistant plate and protection plate. Asman, another drying apparatus, discloses an abrasion resistant plate and protection plate at column 2 line 54 through column 4 line 68. It would have been obvious to one skilled in the art to provide the teachings of Day with the abrasion resistant plate and protection plate, as disclosed in Asman, for the purpose of minimizing wear and damage to a drying apparatus during operations and intended uses in the field of drying.

Response to Arguments

Applicant's arguments with respect to claims 1-8 have been considered but are not persuasive.

Day anticipation

In response to the express recitation regarding material drying arrangement, that recitation is reasonably and broadly construed, in light of the accompanying specification. As recited "material to be dried is fed to a first end of the drying apparatus, the material being arranged to be discharged through a second end of the drying apparatus" is construed that material that is to be dried goes to (fed) to one end and then comes from (discharged) a second end. As disclosed Day, that recitation is found at column 1 lines 15-20 because the passing a web over an external surface goes to one end (fed) and then comes

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from (discharged) a second end. Since Day is a cylindrical surface the contact points of "fed" and "discharged" are any points of the surface.

The heat transfer element is not erroneously cited because the structure of Day is metal. Since metal is a heat transfer surface, any surface contacting the cited element will transfer element from metal. It is inherent that metal conducts heat because it necessarily follows that heat is transferred through metal.

The claimed and argued attached fixed longitudinal pipes are shown in figures 1, 2 and 8 because any one of reference characters 16, 13, 22, 24 meet those claim limitations.

Whether bonded, welded, or fastened to allow expansion, the teachings of Day meet this limitation because regardless of the disc-like frames.

For these reasons, the rejections are maintained.

Conclusion

Other prior art references cited with this action disclose one or more features of the claimed invention, but are not relied upon in rejecting the claims.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

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action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth B. Rinehart can be reached on 571 272 4881. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen Gravini/
Primary Examiner, Art Unit 3743